REMARKS

The Office Action mailed October 5, 2006 considered claims 1, 3-7, 9, 10, 12-16, 18, 28, 30, 34, 37 and 43-55.[1] All of the claims were rejected, except for claims 53-55. Claim 52 was also found to be allowable if it were rewritten into independent form.

By this paper, claims 1 and 12 have been amended and claim 52 has been cancelled, such that claims 1, 3-7, 9, 10, 12-16, 18, 28, 30, 34, 37 and 43-51 and 53-55 remain pending. It will be noted that claim 1 has been amended to incorporate the allowable subject matter of claim 52, such that claim 1 should now be found in condition for immediate allowance. It will also be noted that all of the remaining claims incorporate the allowable subject matter of amended independent claim 1 or independent claim 53, including independent claim 10 (which is a computer program product for implementing the method of claim 1).

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice.[2] In fact, for the record, Applicant generally traverses the Examiner's assertions made in the last action, including, in particular, the assertions made with regard to the teachings of newly cited Barton.

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[1] Claims 1, 3, 5-7, 9, 10, 12, 14-16, 18, 28, 30, 34, 37, 44-47, and 51 were rejected under 35 U.S.C. 103(a) as being unpatentable over Barton et al. (US 2003/0095791) hereinafter *Barton* in view of Ellis et al. (US 2005/0028208) hereinafter *Ellis*. Claims 4, 13, and 43 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Barton* in view of *Ellis* as applied to claims 1, 3, 5-7, 9, 10, 12, 14-16, 18, 28, 30, 34, 37, 44-47, and 51 above, and further in view of Herrington et al. (WO 00/78050) hereinafter *Herrington*. Claim 48 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Barton* in view of *Ellis* as applied to claims 1, 3, 5-7, 9, 10, 12, 14-16, 18, 28, 30, 34, 37, 44-47, and 51 above, and further in view of Artigalas et al. (US 2001/0014206) hereinafter *Artigalas*. Claims 49 and 50 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Barton* in view of *Ellis* as applied to claims 1, 3, 5-7, 9, 10, 12, 14-16, 18, 28, 30, 34, 37, 44-47, and 51 above, and further in view of Istvan (US 2002/0184635) hereinafter *Istvan*. Claim 12 was also objected to for minor informalities (regarding claim dependency) which have been remedied by amendments to claim 12. Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

[2] Accordingly, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

Barton was cited by the Examiner for purportedly teaching the following combination of claim elements found in claim 1:

> ...using an access device that is remotely located from the programmable client system to access and log on an access device service;
>
> in response to logging on the access device service, authenticating a user of the remotely located access device with an authentication service which is associated with the access device service;
>
> subsequent to authenticating the user with the authentication service, accessing the client system through the network with the remotely located access device, wherein the client system has a bi-directional connection with the network;
>
> automatically authenticating the user of the remotely located access device to the client system by providing authentication information previously issued to the user from the authentication service, and in response to the user having been previously authenticated by the authentication service through the access device service;
>
> once the user of the remotely located access device is authenticated to the client system, retrieving current program guide data from the client system with the remotely located access device, wherein the current program guide data is displayed on the remotely located access device; [and]
>
> selecting an event using the retrieved program guide data displayed at the remotely located access device...

Applicants respectfully disagree. For example, among other things, Barton clearly fails to teach or suggest any embodiment that includes "automatically authenticating the user of the remotely located access device *to the client system* by providing *authentication information previously issued to the user from the authentication service*, and in response to the user having been previously authenticated by the authentication service through the access device service," as recited in combination with the other claim elements. (emphasis added).

The Examiner has specifically cited to paragraphs [0044]-[0047] of Barton for teaching the foregoing claim limitation. Within these paragraphs, Barton discloses the use of a PRNG key for authenticating the user with a remote Web server. No where within this disclosure, or the rest of Barton, however, does Barton disclose any embodiment for using *authentication information previously issued to the user from the authentication service to authenticate the user to the client system.* In fact, it could even be argued that Barton actually fails to disclose any embodiment for authenticating the user *to the client system* (the Barton DVR, for example).

Barton does disclose, in paragraph [0042], that the DVR may receive authorization codes that are compared to stored authorization codes to authenticate a transaction. However, a careful reading of Barton reveals that the PRNG authorization key or code is generated by the DVR (not an authentication service). (See paragraph [0038] with reference to PRNG 280). Accordingly, it

is clear from the disclosure found throughout Barton, including paragraphs [0038]-[0049], that the user uses the authorization key generated by the DVR to authenticate the user to the Web server. The Web server then uses the same key to authenticate commands sent to the DVR, not to authenticate a user to the DVR (see paragraphs [0038]-[0049] and [0044]-[0045]).

In view of the foregoing, it is clear that Barton fails to teach or suggest, among other things, the combination of claim elements recited in the claims, including "automatically authenticating the user of the remotely located access device to the client system by providing authentication information previously issued to the user from the authentication service, and in response to the user having been previously authenticated by the authentication service through the access device service."

Notwithstanding the foregoing distinctions between the cited art and the claimed invention, the claims have been amended to expedite issuance of the allowed claims. Accordingly, it will be appreciated that the amendments made by this paper do not evince any intent on the part of the Applicant to surrender claimed subject matter or any agreement with the assertions made of record with regard to the rejections. It will also be appreciated that the distinctions identified above do not comprise an exhaustive description or listing of all distinctions between the cited art and the claimed invention, as such is not necessary at this time.

In view of the foregoing, Applicant respectfully submits that all of the pending claims are now in condition for immediate allowance. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 5th day of December, 2006.

Respectfully submitted,

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